

Law Office of Peter A. Fitzpatrick, (SBN182893)  
1000 Brannan St., Suite 301 (a)  
San Francisco, CA 94103  
(415) 271-9508

Pdfitz22@gmail.com

Attorney for Defendant

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA

v.

DUVAL GIBSON

Defendant,

.

) No. 3:14-CR-00059 TEH  
)  
) **STIPULATION AND [PROPOSED]**  
) **ORDER CHANGING HEARING DATE**  
) **AND EXCLUDING TIME**  
)  
)  
)  
)  
)  
)

The above-captioned matter came before the Court for a hearing on December 8, 2014. The Court set a further status conference for December 15, 2014. In an Order dated December 9, 2014, the Court continued the status conference to December 22, 2014.

The parties hereby stipulate due to unavailability of defense counsel, with the Court's permission, to reset the status conference hearing to January 5, 2015.

Based upon good cause the Court hereby resets the status conference to 1/5/15 at 2:30 p.m.

The Court ordered an exclusion of time from and including December 8, 2014, through and including December 15, 2014. The time is appropriate and necessary under Title 18, United States Code, Sections 3161(h)(1)(A) and (h)(7)(A), to determine the physical capacity of the

1 defendant, and because the needs of justice served by the continuance outweigh the best interest  
2 of the public and the defendant in a speedy trial. The parties stipulate and agree that an exclusion  
3 of time is also appropriate from and including December 15, 2014, through and including  
4 January 5, 2015, for the same reason.

5 Therefore, the Court finds that the time from and including December 8, 2014, through  
6 including January 5, 2015, is excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(1)(A)  
7 and (h)(7)(A), to determine the physical capacity of the defendant, and because the ends of  
8 justice served by such exclusion outweigh the best interest of the public and the defendant in a  
9 speedy trial.  
10  
11

12  
13 DATED: December 11, 2014

MELINDA HAAG  
United States Attorney

14 \_\_\_\_\_  
15 /s/ ALEXA SUMMER  
Assistant United States Attorney

16 \_\_\_\_\_  
17 /s/ PETER FITZPATRICK  
18 Counsel for Defendant Gibson  
19  
20

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 A representative from the San Francisco Sheriff's Department shall either attend the  
2 January 5, 2015 status conference, or else file the declaration described in the Court's  
3 December 9, 2014 Order, no later than January 2, 2015. The Government shall serve this  
4 Order on Dr. Joe Goldenson at the San Francisco County Jail and on the San Francisco  
5 Sheriff's Department.  
6

7  
8 IT IS SO ORDERED.

9  
10 DATED: 12/15/14  
11

12 

13  
14 HON. THELTON E. HENDERSON  
United States District Judge  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28